



14230 U.S. PTO

Practitioner's Docket No. KP8722US

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

16015 U.S. PTO

10/602967



06/24/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Michael Edward Nicholas

For (title): A CONTAINER FOR STORING AND DISPENSING  
FOOD ITEMS AND BEVERAGES

1. Type of Application

This application is for an original (non-provisional).

EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is **mandatory**.)

(Express Mail certification is optional)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date **June 24, 2003** in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. **EU642904241US**.

Christine Goellner

Type or print name of person mailing paper

Date: June 24, 2003

Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

2. **Papers Enclosed**

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

19 Page(s) of Specification  
7 Page(s) of Claims  
6 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

2 Page(s) of declaration and power of attorney  
1 Page(s) of abstract

3. **Declaration or Oath**

Enclosed and executed by the inventor.

4. **Inventorship Statement**

The inventorship for all the claims in this application is the same.

5. **Language**

English

6. **Certified Copy**

Certified copy of application:

<u>Country</u>	<u>Application Number</u>	<u>Filed</u>
CANADA	2,391,823	June 27, 2002

from which priority is claimed **will follow**.

7. **Fee Calculation (37 C.F.R. § 1.16)**

Regular Application

CLAIMS AS FILED									
Number Filed		Number Extra		Rate		Basic Fee 37 C.F.R. § 1.16(a) \$750.00			
Total									
Claims (37 C.F.R. § 1.16(c))	34	—	20	=	14	x	\$ 18.00	=	\$ 252.00
Independent									
Claims (37 C.F.R. § 1.16(b))	1	—	3	=	0	x	\$ 84.00	=	\$ 0.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))							\$ 280.00	\$	280.00
Filing Fee Calculation									\$1,282.00

**8. Assertion of Small Entity Status**

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.  
Status as a small entity was asserted in the prior application 2,391,823 filed on June 27, 2002 from which benefit is being claimed for this application under 35 U.S.C. § 119(e) and which status as a small entity is still proper and asserted for this application.

**Filing Fee Calculation (50% of above Filing Fee Calculation) \$641.00**

**9. Fee Payment Being Made at This Time**

Enclosed

Filing Fee - \$641.00

**Total Fees Enclosed \$641.00**

**10. Method of Payment of Fees**

Authorization is hereby made to charge the amount of \$641.00 to credit card as shown on the attached credit card information authorization form PTO-2038. Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0537. A duplicate of this paper is attached.

**11. Authorization to Charge Additional Fees**

The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

37 C.F.R. § 1.16(b), (c) or (d) (presentation of extra claims)

**12. Instructions as to Overpayment**

Credit Account No. 50-0537.

Date: June 24, 2003

Reg. No.: 31,115  
Tel. No.: 440-684-1090  
Customer No.: 22203

  
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Signature of Practitioner

Mark Kusner  
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